

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**AMENDED SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL  
CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Michael Blevins

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
consortium claim:

Not applicable

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
conservator):

Not applicable

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
the time of implant:

Kentucky

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Kentucky

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Kentucky

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for the Eastern District of Kentucky,

Pikeville Division

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: \_\_\_\_\_

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Express (G2<sup>®</sup>X) Vena Cava Filter

☐ Eclipse<sup>®</sup> Vena Cava Filter

☒ Meridian<sup>®</sup> Vena Cava Filter

☐ Denali<sup>®</sup> Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

November 25, 2011

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

- 1           x     Count XIII: Fraudulent Concealment
- 2           □     Count XIV: Violations of Applicable Kentucky (insert state)
- 3                     Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
- 4                     Practices
- 5           □     Count XV: Loss of Consortium
- 6           □     Count XVI: Wrongful Death
- 7           □     Count XVII: Survival
- 8           x     Punitive Damages
- 9           □     Other(s): \_\_\_\_\_ (please state the facts supporting
- 10                    this Count in the space immediately below)

11 \_\_\_\_\_

12 \_\_\_\_\_

13 \_\_\_\_\_

14 \_\_\_\_\_

15 \_\_\_\_\_

1 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of March, 2017.

2 **SKIKOS CRAWFORD SKIKOS & JOSEPH**

3  
4 By: /s/ Melissa Mielke

5 Steven Skikos (CA SBN 148110)  
6 Melissa Mielke (CA SBN 284560)  
7 Matthew Skikos (CA SBN 269765)  
8 mmielke@skikos.com  
9 One Sansome St., Ste 2830  
10 San Francisco, CA 94109  
11 Phone: (415) 546-7300; Fax: (415)-546-7301

12  
13  
14  
15  
16  
17  
*Attorneys for Plaintiffs*